

Steven T. Gubner – Bar No. 156593  
Travis M. Daniels – Bar No. 295855  
**EZRA BRUTZKUS GUBNER LLP**  
21650 Oxnard Street, Suite 500  
Woodland Hills, CA 91367  
Telephone: (818) 827-9000  
Facsimile: (818) 827-9099

Lynn L. Tavenner, Esq. (VA Bar No. 30083)  
Paula S. Beran, Esq. (VA Bar No. 34679)  
**TAVENNER & BERAN, PLC**  
20 North Eighth Street, 2nd Floor  
Richmond, Virginia 23219  
Telephone: (804) 783-8300  
Facsimile: (804) 783-0178

Special Litigation Counsel for  
THE CIRCUIT CITY STORES, INC. LIQUIDATING TRUST

**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF VIRGINIA**  
**RICHMOND DIVISION**

In re:

CIRCUIT CITY STORES, INC., et al.,

Debtors.

Chapter 11

Case No. 08-35653-KRH

**STIPULATION AND [PROPOSED] ORDER  
BETWEEN CREDITOR CALIFORNIA  
SELF-INSURER'S SECURITY FUND AND  
CIRCUIT CITY STORES, INC.  
LIQUIDATING TRUST TO ALLOW  
WITHDRAWAL OF CLAIM**

Jointly Administered

**STIPULATION**

This Stipulation is entered into and submitted by and between Creditor California Self-Insurer's Security Fund (the "Fund") on the one hand, and Circuit City Stores, Inc. Liquidating Trust (the "Trust"), on the other hand, and by and through their respective counsel of record.

WHEREAS, the Fund filed proofs of claim Nos. 11721 and 11811 against Circuit City Stores, Inc. and Circuit City Stores West Coast, Inc. (collectively "Debtors") on March 6, 2009;

WHEREAS, the Fund amended these claims on May 13, 2010 as claim Nos. 15028 and 15029;

WHEREAS, the Fund also filed separate administrative claims Nos. 14971 and 14973 against Circuit City Stores, Inc. and Circuit City Stores West Coast, Inc. on March 31, 2010;

WHEREAS, the Fund amended these administrative claims on May 13, 2010 as administrative claims Nos. 15030 and 15031;

WHEREAS, a duplicative administrative claim was filed against Circuit City Stores West Coast, Inc. on April 7, 2010 as administrative claim No. 15004, but is listed on the claims register as filed against Circuit City Stores, Inc.;

WHEREAS, the Debtors bankruptcy cases were consolidated pursuant to the *Findings of Fact, Conclusions of Law and Order Confirming Modified Second Amended Joint Plan of Liquidation of Circuit City Stores, Inc. and Its Affiliated Debtors and Debtors in Possession and Its Official Committee of Creditors Holding General Unsecured Claims* entered on September 14, 2010 [Docket No. 8555].

WHEREAS, the Trust objected to the Fund's claims in its Sixth and Seventh Omnibus Objections to Claims on February 25, 2011;

WHEREAS, the Trust and the Fund have periodically agreed to continuances of the hearing on the Trust's objections since the Sixth and Seventh Omnibus Objection to Claims was filed;

WHEREAS, the Trust has informed the Fund that the Trust believes it holds claims of the estate against the Fund for acts and omissions relating to the Claims;

WHEREAS, on July 10, 2015, counsel for the Fund advised counsel for the Trust that the Fund intended to withdraw its claims;

WHEREAS, the Fund wishes to withdraw its claims and administrative claims filed in this action with prejudice;

WHEREAS, the Trust consents to the withdrawal of the claims and administrative claims filed in this action;

IT IS HEREBY STIPULATED AND AGREED, by and between the Fund and the Trust, through their respective counsel of record, as follows:

1. The Fund's claims, Nos. 11721, 11811, 15028, and 15029 shall be withdrawn with prejudice;

2. The Fund's administrative claims, Nos. 14971, 14973, 15004, 15030, and 15031 shall be withdrawn with prejudice;

3. For avoidance of doubt, nothing herein waives, releases, or has an effect on claims of the estate held by the Trust that can be asserted against the Fund or any potential defenses thereto.

IT IS SO STIPULATED.

Dated: November 5, 2015

EZRA BRUTZKUS GUBNER LLP

By: \_\_\_\_\_

  
Steven T. Gubner  
Special Litigation Counsel to the Circuit  
City Stores Inc. Liquidating Trust

Dated: November 17, 2015

TAVENNER & BERAN, PLC

By: /s/ Paula S. Beran

Lynn L. Tavenner  
Paula S. Beran  
Counsel to the Circuit City Stores Inc.  
Liquidating Trust

Dated: November 4, 2015

NIXON PEABODY LLP

By:

Louis J. Cisz, III

Attorneys for Creditor,  
CALIFORNIA SELF-INSURERS'  
SECURITY FUND

**[PROPOSED] ORDER**

Pursuant to the Stipulation of the parties set forth above,

1. The Stipulation is approved.
2. Creditor California Security Fund's claim Nos. 11721, 11811, 15028, and 15029 are hereby withdrawn with prejudice.
3. Creditor California Security Fund's administrative claim Nos. 14971, 14973, 15004, 15030, and 15031 are hereby withdrawn with prejudice.
4. The Clerk of this Court is hereby authorized and instructed to reflect these withdrawals on the official claims register for the above-referenced Debtor.
5. This Court shall retain jurisdiction to enforce this Stipulation.
6. Nothing herein waives, releases, or has an effect on claims of the estate held by the Trust that can be asserted against the Fund or any potential defenses thereto.

IT IS HEREBY ORDERED:

Dated: \_\_\_\_\_

Judge of the United States  
Bankruptcy Court